

DEPARTMENT OF TRANSPORTATION

DIVISION OF ENGINEERING SERVICES

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*Flex your power!
Be energy efficient!*

January 10, 2012

The Honorable Judy Chu
Congresswoman
U.S. House of Representatives
1520 Longworth House Office Building
Washington, DC 20515

Dear Congresswoman Chu,

Thank you for your support of the Underutilized Disadvantaged Business Enterprise program (UDBE). In your letter of January 3, 2012 you relayed concerns of some constituent companies in your district regarding the proposed award of Caltrans project 08-448404. Caltrans has not yet determined the lowest responsible bidder for this project.

Caltrans received and publicly opened seven bids for this federal aid project on December 8, 2011. At the time of bid opening, the apparent low bidder was Atkinson Contractors LP. This bidder was subsequently found to be non-responsive as they did not meet the requirements of the contract and is presently no longer eligible for the award of the contract.

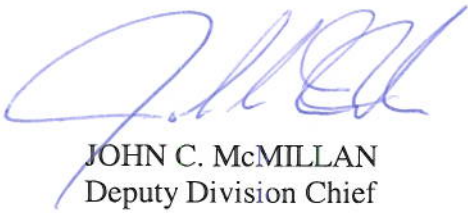
The bid documents for the second apparent low bidder, Sema Construction, are presently being evaluated by Caltrans to determine their eligibility for the contract award. Included in this evaluation is the bidders UDBE Commitment for this project. If this bidder does not achieve the 7.0 percent goal for this project, their Good Faith Effort documentation will be evaluated as provided by the Code of Federal Regulations, Title 49, Subpart C, § 26.53. These reviews will also determine the current UDBE certification status for all subcontractors or suppliers that have been submitted by the bidder with their UDBE Commitment.

Caltrans remains committed to ensuring that all federal aid projects have met the federal requirements and that these projects are awarded to the lowest responsible bidders. Caltrans has aggressively worked to ensure that our Disadvantaged Business Enterprise program is in compliance with the requirements set forth by Congress and the Federal Highway Administration.

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Should you have any questions, do not hesitate to contact Earl Seaberg, Chief, Office Contract Award and Services at (916) 227-6280.

Sincerely,



JOHN C. McMILLAN
Deputy Division Chief
Office Engineer
Division of Engineering Services

c: Blanca Rodriguez, Acting Deputy Director, Office of Business and Economic Opportunity,
Department of Transportation
Dan McKell, Legislative and Congressional Liaison, Department of Transportation